

**FILED**

November 27, 2023

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

BY: \_\_\_\_\_ **ps** \_\_\_\_\_  
DEPUTY

UNITED STATES OF AMERICA.	§	No. 1:22-CR-000053-DAE
	§	
Plaintiff,	§	
	§	
vs.	§	
	§	
FRANKLIN BARRETT SECHRIEST	§	
	§	
Defendant.	§	
_____	§	

NOTICE REGARDING UPWARD VARIANCE

The above entitled and numbered case is set for sentencing Wednesday, November 29, 2023 at 9:00am. The Court has reviewed the submitted materials. The purpose of this notice is to inform the parties that the Court intends to seriously consider an upward variance from the stated guidelines. While this notice is not required under Fifth Circuit law, nonetheless out of a sense of fairness the Court wanted the Defendant to be aware of the Courts view that an upward variance may well be warranted under the 3553 factors in this case as well as all of the circumstances of this crime.

**IT IS SO ORDERED.**

**DATED:** Austin, Texas, November 27, 2023.



\_\_\_\_\_  
DAVID A. EZRA  
SENIOR UNITED STATES DISTRICT JUDGE